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## Letter dated 10 September 1999 from the Permanent Representatives of the Netherlands and the Russian Federation addressed to the Secretary-General

On the instruction of our respective Governments, we have the honour to transmit herewith the text of the report on the conclusions of the centennial of the first International Peace Conference, which emerged from the Expert Meeting held in The Hague on 18 and 19 May 1999 and the International Conference "Centennial of the Russian Initiative: From the First Peace Conference, 1899 — to the Third, 1999", held in Saint Petersburg, Russian Federation, from 22 to 25 June 1999 (see annex), and to request that the present letter and its annex be circulated as a document of the General Assembly under agenda item 154.

(*Signed*) Peter van **Walsum**
Ambassador
Permanent Representative of the Kingdom of the Netherlands

(*Signed*) Sergey **Lavrov**
Ambassador
Permanent Representative of the Russian Federation

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**Annex**

# OUTCOME OF THE CELEBRATIONS OF THE CENTENNIAL OF THE FIRST INTERNATIONAL PEACE CONFERENCE:

# REPORT ON THE CONCLUSIONS

Report presented by the Governments of the Kingdom of the Netherlands and the Russian Federation on the conclusions of the expert discussions on the three "Centennial themes"; Peace Palace, The Hague, 17-18 May 1999, and Smolny Palace, St. Petersburg, 22-25 June 1999

## I. GENERAL OBSERVATIONS

### I.1 Introduction

1. Pursuant to United Nations General Assembly Resolutions 51/157, 52/154 and 53/99,[1] regarding the Action dedicated to the 1999 Centennial of the First International Peace Conference of 1899 and to the closing of the United Nations Decade of International Law, the Governments of the Kingdom of the Netherlands and the Russian Federation called meetings of experts for consideration of the reports and comments pertaining to the themes of the 1899 First International Peace Conference and its 1999 Centennial celebrations: disarmament questions, humanitarian law and laws of war, and peaceful settlement of disputes. These activities were undertaken within the framework of the United Nations Decade of International Law, with a view to serving as a useful basis for carrying the results of the Decade of International Law into the next millennium.

2. The present report has been drawn up under the authority of the chairmen of the meetings at The Hague, the Netherlands, (18-19 May 1999) and St. Petersburg, Russian Federation, (22-25 June 1999) and, in Part II, reflect the outcome of the discussions on the three Centennial themes.[2] The conclusions of the expert discussions do not purport to formulate any particular formal position taken on the matter under discussion, nor are they meant to commit any delegation to a particular point of view. The report is presented by the Governments of the co-hosts "as-is", without prejudice to the position of any delegation.[3]

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1. A/RES/53/99

   1. *Welcomes* the programme of action dedicated to the centennial of the first International Peace Conference, presented by the Governments of the Netherlands and the Russian Federation, which aims at contribution to the further development of the themes of the first and the second International Peace Conference and could be regarded as a third international peace conference;

2. The thematic conclusions were drawn up with the help of the chairmen of the expert discussions.

3. A/RES/53/99

   4. *Requests* the Governments of the Netherlands and the Russian Federation to prepare reports on the outcome of the centennial celebrations at The Hague and St. Petersburg for submission to the General Assembly at its fifty-fourth session, with a view to their consideration at the closing of the United Nations Decade of International Law.

## I.2 Discussions on the Centennial Themes

3. On 18 and 19 May 1999 delegates, legal advisers[4] of United Nations Member States, observer States and of relevant international organisations, assembled at the Peace Palace, The Hague, to consider the legislative and normative aspects of the Centennial themes, contained in the reports conceived and revised[5] by the rapporteurs: Francisco ORREGO VICUÑA and Christopher PINTO on peaceful settlement of disputes, Christopher GREENWOOD on humanitarian law and laws of war, and Hans BLIX on disarmament questions. The Centennial meeting at the Peace Palace was chaired by Hans VAN MIERLO.[6] The opening session was attended by Her Majesty Queen BEATRIX of the Netherlands, patron of the Centennial celebrations at the Peace Palace, Her Royal Highness Princess MARGRIET, chairman of the Standing Commission of the Red Cross and Red Crescent Movement, the Prime Minister, Wim KOK, and the Mayor of the city of The Hague, Wim DEETMAN.

4. Her Majesty Queen BEATRIX marked the long standing commitment of the Dutch Royal Family to the 1899 Peace Conference, which was hosted by her grand-mother, Queen WILHELMINA, and to the 1999 celebration of its Centennial with her presence at the opening session and with a reception at Noordeinde Palace for participants to the expert discussions. In her capacity as Chairman of the Standing Commission, preparing for the 27th International Red Cross and Red Crescent Conference, Her Royal Highness Princess MARGRIET also attended the opening session. This royal presence testifies to the commitment of the Dutch Royal Family and of Dutch society as a whole to the concepts of the international Rule of Law set by the First International Peace Conference, as well as to the position of the city of The Hague as judicial capital of the world, dating back to the days of Queen WILHELMINA. That position was also underlined at the Mayor's reception at the close of the celebrations at The Hague.

5. At the opening session delegates heard speeches[7] by the Secretary-General of the United Nations, Kofi ANNAN; the Minister for Foreign Affairs of the Kingdom of the Netherlands, Jozias VAN AARTSEN; the former Minister for Foreign Affairs of the Kingdom of the Netherlands, chairman of the Organizing Committee, Hans VAN MIERLO; the President of the International Committee of the Red Cross (ICRC), Cornelio SOMMARUGA; the Director-General of the Organisation for the Prohibition of Chemical Weapons (OPCW), José BUSTANI; the Under Secretary-General for

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4. Several States were represented by their Ambassador to the Kingdom of the Netherlands.

5. On the basis of comments posted on http://minbuza.nl/english/conferences/peace_1.html.

6. Former Vice-Prime-Minister and Minister for Foreign Affairs of the Kingdom of the Netherlands, presently Minister of State of the Kingdom of the Netherlands, and Chairman of the Netherlands National Organizing Committee for the Centennial of the First International Peace Conference.

7. Speeches have been forwarded to member/observer States through diplomatic channels and published at the Centennial internet web-site of the Ministry of Foreign Affairs of the Kingdom of the Netherlands: http://www.minbuza.nl/english/conferences/peace_1.html.

Legal Affairs and Legal Counsel of the United Nations, Hans CORELL; the President of the International Federation of Red Cross and Red Crescent Societies (IFRC), Astrid HEIBERG; the Secretary-General of the Permanent Court of Arbitration (PCA), Hans JONKMAN; and the Peace Palace historian, Arthur EYFFINGER.[8] A message from the Vatican was also read.

6. These interventions pointed to the continued need for an international order based on the Rule of Law, and the continued duty of the international community to build peace and to prevent and suppress violations of international rules, which aim at safeguarding peace and human rights, with all appropriate means.

7. The Ambassador of the Russian Federation to The Hague, Alexander G. KHODAKOV, spoke about the Russian initiatives of 1899 and 1999, with regard to the calling of the First International Peace Conference, and to the celebration of the Centennial of that Conference.

8. Sir Ninian STEPHEN and William PACE presented the conclusions of the commemorative session of the Members of the Permanent Court of Arbitration (Peace Palace, 17 May 1999) and of the HAGUE APPEAL FOR PEACE civil society campaign (The Hague, 11-15 May 1999), respectively.

9. On the eve of its one hundredth anniversary the Permanent Court of Arbitration held a commemorative session of its members on 17 May 1999, at which a resolution was adopted. The following operative paragraphs were included in that resolution:

1. Invites Governments of States not Parties to accede to the 1907 Hague Convention for the Peaceful Settlement of International Disputes;
2. Acknowledges the important role of the Government of The Netherlands, as depositary of the Conventions;
3. Invites Governments and International Organizations to include in treaties, agreements and commercial contracts, where appropriate, clauses referring disputes for resolution through fact-finding, mediation, conciliation or arbitration under the auspices of the Permanent Court of Arbitration;
4. Invites Governments, as well as intergovernmental organizations, non-governmental organizations, foundations and others who share a commitment to the peaceful solution of international disputes, to contribute to the Financial Assistance Fund, and to render to the [Permanent] Court [of Arbitration] such financial and other assistance as may be necessary to enable it effectively to maintain and enhance its capacity to administer, promote and assist in the resolution of international disputes, to act as repository of information concerning alternative methods of dispute resolution and, through seminars, conferences, studies and publications, disseminate information relating thereto.

The Chairman of this commemorative session was given the opportunity to present the conclusions of this session at the opening session of the expert meeting.

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8. At the Peace Palace meeting, a third book by his hand was introduced, especially focussed on the 1899 Peace Conference: Arthur EYFFINGER: *The 1899 Hague Peace Conference: The Parliament of Man, the Federation of the World*, published by Kluwer International.

Members of the PCA were encouraged to share their expertise and participate at the expert discussions on 18 and 19 May 1999.

10. On 17 May 1999 the signing ceremony took place of the Additional Protocol to the 1954 Convention on the protection of cultural goods in times of armed conflict[9] in the presence of Colin POWER, Assistant Director-General for Education of UNESCO, Adriaan BOS, Chairman of the Diplomatic Conference, and Lyndel PROTT, Chief of the International Standards Section of the Division of Cultural Heritage of UNESCO. The representatives of States assembled at the signing ceremony heard speeches of Colin POWER and Adriaan BOS, explaining the results of the Diplomatic Conference and the importance of the adoption of this Additional Protocol for the protection of cultural property in times of armed conflict.

11. With a view to the co-ordination of the expert discussions, on 17 May 1999 a meeting was called of the "Friends of 1999" together with the officials of the expert meeting of 18 and 19 May. This meeting was hosted by the Ambassador of the Russian Federation to the Kingdom of the Netherlands.

12. The thematic expert discussions on 18 and 19 May 1999 were chaired by: Dr. Keith HIGHET (peaceful settlement of disputes), Dr. P.S. RAO (disarmament questions), and professor Tim MCCORMACK (humanitarian law and laws of war).

13. The organisation of the Centennial events in the Netherlands benefited greatly from the fact that the Peace Palace, seat of the Permanent Court of Arbitration and the International Court of Justice, was available as venue for expert discussions on the legislative and normative aspects of the Centennial of the First International Peace Conference. A debt of gratitude is due to the CARNEGIE FOUNDATION and its General Director, Willem HAMEL.

14. From 22 to 25 June 1999 delegates, legal advisers[10] of United Nations Member States, observer States and relevant international organizations assembled at the Smolny Palace in St. Petersburg, Russia, to continue expert discussions and consider the implementation aspects of the Centennial themes, contained in the reports conceived and revised by the rapporteurs: Hans BLIX on disarmament questions, Christopher GREENWOOD on humanitarian law and laws of war, and Francisco ORREGO VICUÑA and Christopher PINTO on peaceful settlement of disputes. The Centennial meeting at Smolny was chaired by Anatoly L. KOLODKIN.[11]

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9. 26 States signed the Protocol at the Peace Palace, The Hague, on 17 May 1999: Albania, Austria, Belgium, Cambodia, Côte d'Ivoire, Croatia, Estonia, Finland, Germany, Ghana, Greece, the Holy See, Hungary, Indonesia, Italy, Luxembourg, Madagascar, the Kingdom of the Netherlands, Nigeria, Pakistan, Qatar, Spain (*ad referendum*), Sweden, Switzerland, Syria, Yemen.

10. Several States were represented by their Ambassadors to the Russian Federation.

11. President of the Russian Association of International Law and Association of Maritime Law, Chairman of the National Committee of the Russian Federation on the UN Decade of International Law, Judge at the UN International Tribunal for the Law of the Sea.

15 The president of the Russian Federation, Boris N. YELTSIN sent participants a massage of greetings in which he stressed that, on the eve of the XXI[st] century, the main task is to ensure strict compliance with international law and, in particular, with the Charter of the United Nations. This message testifies to the firm commitment of the Russian Federation to the rule of law in international relations.

16. At the opening session participants heard speeches of the Secretary-General of the United Nations, Kofi ANNAN; the Governor of St. Petersburg, Vladimir A. YAKOVLEV; the Deputy Ministerof Foreign Affairs of the Russian Federation, Serguey A. ORDZHONIKIDZE; the Chairman of the Organizing Committee of the Centennial Meeting in The Hague, Hans VAN MIERLO; the Vice-President of the International Committee of the Red Cross, Pierre KELLER; the Deputy Secretary-General of the Permanent Court of Arbitration, Phyllis HAMILTON; the Vice-President of the International Federation of Red Cross and Red Crescent Societies, Luidmila G. POTRAVNOVA; and the President of the HAGUE APPEAL FOR PEACE, Cora WEISS.

17. These interventions stressed the need for strengthening the role of international law. They pointed out the continued duty of each state or group of states to strictly comply with the rules of international law, since it was a *conditio sine qua non* for maintaining peace and security, preventing and suppressing violations of norms of international law and safeguarding human rights.

18. The thematic expert discussions were held from 22 to 25 June 1999 and were chaired by: Jaap RAMAKER (disarmament questions), Hans-Wilhelm LONGVA (international humanitarian law and laws of war) and P. S. RAO (peaceful settlement of disputes).

19. The organization of the Centennial events in Russia benefited greatly from the fact that Smolny, seat of the St. Petersburg's Administration, was available as venue for the expert discussions on the implementation aspects of the themes of the Centennial of the First International Peace Conference. A debt of gratitude is due to the administration of St. Petersburg and to the Governor of St. Petersburg, Vladimir A. YAKOVLEV.

20. The revised reports discussed at these meetings, the conclusions of the discussions pertaining to each of those reports and the follow-up given to those conclusions will be published by Professor Frits KALSHOVEN, editor in chief of THE CENTENNIAL OF THE FIRST INTERNATIONAL PEACE CONFERENCE: REPORTS AND CONCLUSIONS.[12]

12. To be published by Kluwer Law International in co-operation with UNITAR.

## I.3 Non-Governmental Participation

21. Close co-ordination was called for between the organisers of the governmental expert meetings at the Peace Palace (18-19 May 1999) and the non-governmental HAGUE APPEAL FOR PEACE citizens' conference a week earlier (11-15 May 1999).[13] As representative of the host country, the Minister for Foreign Affairs of the Kingdom of the Netherlands was present at the opening and closing sessions of the HAP and delivered one of the key note speeches. Representatives of the HAP were invited to present the conclusions of the NGO campaign at the opening session of the governmental meetings and to take part in the expert discussions.[14] At the HAP citizens' conference the "Hague Agenda for Peace and Justice for the 21st Century" was adopted,[15] which includes the following campaigns:

- to abolish nuclear weapons;
- global action plan for the abolition of war;
- international action network on small arms;
- implementation of the landmine treaty;
- ratification of the ICC statute;
- to stop child soldiers;
- for peace education at all levels; and
- against poverty.

22. The early ratification and entry into force of the Rome Statute of the International Criminal Court; opened for signature at Rome on 17 June 1998[16] was also referred to frequently during the governmental expert discussions. References to small arms and landmines were frequently made, whereas nuclear disarmament also figured prominently in the governmental expert discussions in The Hague and St. Petersburg. The dialogue between governmental and non-governmental experts was open and constructive, both thematically and organizationally.

## I.4 General organizational matters

23. As endorsed by consecutive resolutions of the General Assembly,[17] the co-hosts of the centennial celebrations, the Kingdom of the Netherlands and the Russian Federation, had, in the earliest stages of their preparations,[18] agreed that these

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13. See the Hague Appeal for Peace internet web-site: http://www.haguepeace.org.
14. Due to Peace Palace seating restrictions five NGO experts were invited to the discussions on each of the "Hague themes".
15. A/54/98.
16. A/CONF.183/9.
17. Referred to at the top of this document, para. 1.
18. From those earliest stages the factual organization of the Centennial of the First International Peace Conference was in the hands of Thijs BÜCHLI of the Ministry of Foreign Affairs of the Kingdom of the Netherlands and Serguey V. CHATOUNOVSKY BYRNOUGH of the Ministry of Foreign Affairs of the Russian Federation.

celebrations should, on the one hand, not interfere with the mandates and efforts of contemporary international fora which might be considered heirs to the 1899 Peace Conference, while, on the other hand, the centennial debates on the Centennial themes should be meaningful and comprehensive, as well as universally carried.

24. Consequently, a four phased format was chosen, starting with expert reports on each of the Centennial themes,[19] followed by expert discussions on those reports at relevant global,[20] regional,[21] national[22] and even individual levels. In order to facilitate these exchanges and discussions, an Internet web-site[23] was created, enabling arguments to be exchanged freely without the need for extensive mailing or labourious coordination.

25. In the third phase, experts met in The Hague, the Netherlands, and in St. Petersburg, Russia, for consideration of the reports on the Centennial themes, as revised taking into account the outcome of the various discussions as reflected at the Internet web-site. These expert meetings refrained from taking political decisions, allowing for frank, open and in-depth discussions of the topics at hand. The conclusions of the expert meetings were faithfully recorded by experts from the co-hosts,[24] and are reproduced in Part II, below.

26. The fourth phase called for the conclusions of these expert meeting to be forwarded to the relevant international fora for consideration in accordance with their respective mandates.[25] The present document serves that purpose.

27. As emblem of the Centennial of the First International Peace Conference the ancient Egyptian hieroglyph of *ma-at* was chosen to underline the long lasting heritage of the 1899 Peace Conference. Symbolized in the oldest written language, *ma-at* represented the divine majesty of the rule of law and cosmic harmony, and was heralded as foundation of the earliest civilization known to man.

28. In the implementation of this innovative decentralized conferencing format ("roaming conference") certain aspects had to be taken into account.

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19. Originally, two rapporteurs were invited for each of the Centennial themes. Two rapporteurs decided to issue a joint report, whereas two other rapporteurs were not in a position to finalize their reports.

20. *e.g.* seminar on dispute resolution, London.

21. *inter alia*: Inter-American Juridical Commission, Rio de Janeiro; Asian-African Legal Consultative Committee, New Delhi; Asia-Pacific Region Centennial Conference, University of Melbourne; for a complete list of Centennial related activities, see A/C.6/53/11.

22. *e.g.* by the Netherlands Advisory Board on International Legal Affairs, by the Foreign and Commonwealth Office, United Kingdom, and by the Treaties Bureau of the Ministry of Foreign Affairs of the Republic of Korea.

23. http://www.minbuza.nl/english/conferences/peace_1.html, click on "downloaded".

24. As verified by the chairmen at the thematic discussions and presented by the national chairmen at the concluding plenary sessions.

25. As for the United Nations: cf. Article 13 of the Charter:
13 (1) The General Assembly shall initiate studies and make recommendations for the purpose of:
a. [...] encouraging the progressive development of international law and its codification; [...].

29. Due to the innovative character of the conferencing model, the various expert conferences had to be made aware of their special role in the chain of Centennial activities. Moreover, it was felt that regional comments deserved to be collected by the co-hosts, rather than to be delivered to the Executive Secretariats. To these ends the rapporteurs and representatives of the co-hosts attended (or were represented at) those conferences as observers. This approach has yielded very positive results.[26] These visits had implications for the respective agenda's and travel budgets.

30. Certain expert conferences had some difficulties in including consideration of the reports on the Centennial themes in their current schedule of meetings. Since most of these schedules operate on an annual basis, the reports and the invitation for their consideration might have been issued a year earlier. This would have allowed preparatory expert conferences and seminars to include such considerations in their regular schedule more easily. On the other hand, such long period of discussions might have lead to the loss of political momentum. The co-hosts of the Centennial celebrations are grateful to officials of and participants to these expert conferences for their flexibility in this respect.

31. As a consequence of tights scheduling of regional expert conferences, only very little time was left for the rapporteurs to revise their initial reports in the light of the comments made in respect of these reports. Only by their strenuous efforts and dedication have they been able to finalize the revision of their reports in time. The co-hosts cannot but express their profoundest gratitude to the rapporteurs for all their efforts.

32. The establishment of the "Friends of 1999"[27] platform allowed the co-hosts to verify their ideas as to the organisation and coordination of the Centennial events with interested delegations and relevant international organisations, both governmental and non-governmental, thus ensuring broad support both at United Nations level, at the regional levels, as well as among civil society. Co-ordination meetings were called during General Assembly sessions and intersessionally.

33. With regard to possible future use of this decentralized conferencing format, the co-hosts of the 1999 centennial celebrations would like to draw attention to the following specific aspects and caveats.

1. Careful consideration as to which topic(s) might be suitable for decentralized preparatory consideration;
2. Clear coordination with and separation of mandates in relation to the international institution(s) bearing primary responsibility for the subject-matter at hand;

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26. The appendix lists all documents distributed on the Internet Centennial web-site.

27. Australia, Austria, Brazil, Chile, Cyprus, Denmark, Egypt, France, Ghana, India, Indonesia, Malaysia, Mexico, the Kingdom of the Netherlands, Nicaragua, Poland, Republic of Korea, Russian Federation, Senegal, South Africa, Sri Lanka, Switzerland, Thailand, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Permanent Court of Arbitration, International Court of Justice, International Committee of the Red Cross, Carnegie Foundation, Hague Appeal for Peace.

3. Visible advantage of broadening participation of discussions;
4. Definite and long term commitment of the hosting government(s) and/or institution(s) to the organizing of such events, both in terms of maintaining the political momentum, and of the availability of money and personnel.[28]

# II. CONCLUSIONS ON THE CENTENNIAL THEMES

34. The conclusions of the discussions on the Centennial themes refer to the revised report, and are, consequently, best read in conjunction with these reports. Since discussions were held under time constraints, not all points raised by the introductory speakers were actually discussed; whereas certain participants did not have the opportunity to express themselves on the points they would have liked to bring up.

## II.1 Disarmament questions

35. The expert discussions on the legislative and normative aspects of disarmament questions had under consideration the revised report by Dr. Hans BLIX.[29] The discussions in The Hague were chaired by Dr. P. S. RAO,[30], those in St. Petersburg by Jaap RAMAKER,[31]who, each, also introduced the conclusions at the final plenary sessions. The discussions were opened with the introduction of the revised report[32] and, in The Hague, with comments by Dr. Julie DAHLITZ[33]; in St. Petersburg by B. R. TOUZMOUKHAMEDOV.[34] Delegates identified the following elements and drew the following conclusions as to this Centennial theme.[35]

INTERNATIONAL CONTEXT

36. The view was expressed that, although since the end of the Cold War new opportunities in the field of disarmament and arms control had led to significant results and substantial reductions in over-all military budgets, the euphoria, that seemed to exist in the early 1990's and which was reflected in the report, had swiftly evaporated and that, at present, the disarmament process seemed to slow down, the level of armament still causing unacceptable financial burdens on society.

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28. *e.g.* national celebrations of a major event with international dimensions.
29. Director-General Emeritus of the IAEA.
30. of India, chairman of the AALCC-meeting; New Delhi, February 1999.
31. Ambassador of the Kingdom of the Netherlands.
32. Due to circumstances which prevented Director-General Emeritus BLIX from attending the Peace Palace meeting,, Ambassador Jaap RAMAKER of the Kingdom of the Netherlands took his place in the discussions.
33. Co-ordinator of CIDIR, organizer of the London seminar, December 1998.
34. Constitutional Court of the Russian Federation.
35. The chairman of the discussions on disarmament questions drew the attention of experts to the specific views expressed at regional conferences, notably the AALCC-meeting in New Delhi of February 1999.

INTERNATIONAL LAW / UNITED NATIONS

37. Views were expressed that disarmament and arms control efforts were conducted in a fragmentary way and that the universal application of international law in disarmament matters did not play the role it perhaps should. More over-all direction and co-ordination would seem warranted in this respect. In this regard, discussions on the international legal aspects of disarmament and security matters within the Sixth Committee of the United Nations General Assembly were also suggested.

38. A number of participants expressed the view that both legitimacy and success of international actions require that such action be decided upon or authorized by the United Nations. At the same time, the view was expressed that discussions are needed within the United Nations as to which reforms could strengthen the United Nations' capacity to cope, on behalf of the international community, with possible violations of agreements on disarmament and arms control, e.g. by enhancing the Security Council's effectiveness by making it more representative while reducing the use of veto, by giving a greater role to regional organizations, and/or by establishing military rapid deployment forces of the United Nations.[36]

REGIONAL SECURITY ORGANIZATIONS

39. The view was expressed that greater emphasis should be placed on the role of regional arrangements and agencies,[37] as envisaged under Chapter VIII of the UN Charter using political rather that military tools for conflict resolution.

NUCLEAR DISARMAMENT/NON-PROLIFERATION

40. The need for further progress in nuclear disarmament and in particular in implementation of Article VI of the Nuclear Non-Proliferation Treaty (NPT) was stressed.

41. Some expressed the opinion that the Conference on Disarmament should start work within a special subcommittee, aimed at nuclear disarmament. Nuclear disarmament, according to some, should take place within a time-bound framework, while others expressed the view that nuclear disarmament did not lend itself to be confined within such a time-bound framework. The latter view held that a step by step approach to nuclear disarmament was the only realistic and viable approach.

42. The importance was stressed of early ratification and entry into force of START 2 Agreement and early start of negotiations on START 3 to further reduce the nuclear arsenals of the United States and the Russian Federation, while some others stressed that the progress in bilateral negotiations should not be stopped by blockage in one area.

43. Some believed that the progress in nuclear disarmament will require rejection of the nuclear deterrence principle.

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36. See also speeches delivered at the ceremonial opening of the Peace Palace meeting.

37. Such as OSCE.

44. The need for the early entry into force of the Comprehensive Test Ban Treaty (CTBT) as an important step towards nuclear non-proliferation and disarmament was generally felt.

45. Some suggested that nuclear weapons should be taken off alert status and be withdrawn to the territories of the nuclear states to which they belong.

46. The need for an urgent start of substantive negotiations within the Conference on Disarmament on a Fissile Material Cut-off Treaty (FMCT) was widely supported.

47. A view was expressed that the closure and monitoring of the nuclear weapons infrastructure should begin at the earliest possible time in the process of nuclear disarmament.

48. The need for an effective mechanism to monitor the irreversibility of the process of nuclear disarmament was underlined.[38]

49. In connection with obligations under the NPT a number of participants pointed out the need for unhampered transfer of technology and funds for peaceful uses of nuclear energy to developing countries.

50. A suggestion was raised for a study on nuclear weapon free zones or zones free of weapons of mass destruction in areas of special tension, like the Middle East and South Asia. A call was made for nuclear weapon states giving suitable support to such zones.

### ANTI-BALLISTIC MISSILES

51. The need to control and regulate development and proliferation of missile technology was indicated.

52. A number of participants emphasized the key role of the Anti Ballistic Missiles (ABM) Treaty of 1972 as a corner stone of strategic stability in the world, and a pre-requisite for further nuclear weapons reduction. Some expressed the opinion that the Theatre Missile Defence project could seriously jeopardize the viability of the ABM Treaty.

### NON-PROLIFERATION OF MISSILES AND MISSILE TECHNOLOGY

53. The proposal was made that negotiations should be undertaken within the Conference on Disarmament on a multilateral convention on the non-proliferation of missiles and missile technology.

### BIOLOGICAL AND CHEMICAL WEAPONS

54. Various participants emphasized the importance of early completion of an effective Protocol regarding verification of the Biological and Toxin Weapons Convention (BTWC) as well as of effective implementation of the verification measures under the Chemical Weapons Convention (CWC).

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38. "Trilateral initiative": the ongoing IAEA-Russia-US efforts to put nuclear weapons material withdrawn from nuclear weapons under IAEA verification could constitute a good example of such mechanism.

55. A view was expressed that both the BTWC and the CWC should reflect a true balance between gains and sacrifices, in particular for developing countries. It was also mentioned that the influence of stakeholders (like biotechnical industry) in negotiations should not lead to a weakening of verification regimes.

ANTI-PERSONNEL LANDMINES

56. A number of participants stressed that ratification of the Ottawa Convention on Anti-Personnel Landmines should be accelerated. Attention was also paid to the importance of Protocol II to the Conventional Weapons Convention of 1980.

CONVENTIONAL ARMS / SMALL ARMS

57. Particular attention was paid to small arms, as this category of weapons had been responsible for most casualties in recent conflicts. It was recognized that there was no one simple solution to this problem; although various recommendations were made:

1. the scope of the UN weapons register might be extended to include small arms;
2. more attention should be paid to the illicit trafficking of weapons and the arsenals of small arms; links with international humanitarian law and human rights law were warranted in this respect;
3. an international code of conduct might be developed, including, *inter alia*, criteria for export of small arms, in addition to existing regional arrangements;

58. With regard to conventional weapons in general, it was noted that:

1. development of new weapons should be in conformity with international humanitarian law;[39]
2. States were invited to give consideration to the criteria developed by the ICRC in its SIrUS project;[40]
3. the importance was stressed of ratification of Protocol IV[41] to the Conventional Weapons Convention.

59. Some participants felt that there is a need to extend and strengthen the UN Arms Register to cover small arms.

60. Some emphasized the need for the early conclusion of an agreement to adapt the Treaty on Conventional Armed Forces in Europe.

CONFERENCE ON DISARMAMENT

61. A well-functioning Conference on Disarmament (CD) was considered of great importance for the future of multilateral arms control and disarmament. Important results had been achieved by the CD in recent years with the conclusion of the Chemical Weapons Convention and the Comprehensive Test Ban Treaty. However, views were expressed that, in order to secure the CD's position as an important forum for multilateral arms control and disarmament, its working procedures need to be revised:

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39. In this respect it was questioned in general whether humane use of modern weapons was possible at all.

40. Helping to assess which weapons by their design cause superfluous injury or unnecessary suffering.

41. On blinding laser weapons.

1. the consensus rule on procedural matters should be modified;
2. the practice of yearly renewal of mandates of existing ad-hoc committees should be abandoned; and
3. the possibility should be created to establish preliminary committees to discuss possible mandates for future negotiations.

CONTROL / VERIFICATION MECHANISMS

62. Views were expressed that there is a need for exchange of experience between various control mechanisms of the existing and future multilateral legal instruments in the field of non-proliferation and disarmament, *inter alia* NPT, CTBT, CWC, BTWC. One should also bear in mind the aspect of cost effectiveness and control techniques.

63. Verification and compliance are essential to the further progress in disarmament. Verification is not an aim in itself, but without adequate verification, progress in disarmament is not very likely.

CIVIL SOCIETY

64. The view was expressed that civil society could play a greater role in, what was called, "societal verification" of nuclear weapons free regimes ("whistleblowing") and in disarmament negotiations.

65. The view was also expressed that the international community should pay more attention to the protection of peace activists.

66. Some recommended that civil society should be allowed access to various forums, negotiating nuclear and other disarmament and arms control treaties.

GENERAL REMARKS

67. A plea was made for a war-free future, and a transformation of the culture of war into a culture of peace and consultation. In this regard, special attention was called to the recognition of the role of civil society. The view was also expressed that attention be given to ways and methods to diminish the wishes of states to possess and acquire weapons.

## II.2 Humanitarian law and laws of war

68. The expert discussions on humanitarian law and laws of war had under consideration the revised report by professor Christopher GREENWOOD.[42] The discussions at The Hague were chaired by professor Tim MCCORMACK,[43]; those at St. Petersburg by Hans-Wilhelm LONGVA,[44] who, each, also introduced the conclusions at the final plenary session. The discussions were opened with the

42. of the United Kingdom, London School of Economics.

43. of Australia, organizer of the Asia-Pacific Centennial conference, Melbourne, February 1999.

44. Legal Adviser of Norway.

introduction of the revised report and with comments by professor Georges ABI-SAAB[45] at The Hague and Y. M. KOLOSOV[46] at St. Petersburg.

69. The sessions noted with approval the recent adoption of a new Protocol to the 1954 Hague Convention on Cultural Property, the Ottawa Landmines Convention and the Rome Statute of the International Criminal Court. In the light of these developments, there was agreement with the Rapporteur's general proposition that the urgent need was for measures to promote compliance with existing law rather than for new laws, although some development of existing law remained desirable.

70. Delegates identified the following elements and drew the following conclusions.

IUS IN BELLO, IUS AD BELLUM

71. Acts of warfare must not only to be in conformity with relevant rules of the laws applicable in armed conflict; they must also be necessary for and proportionate to the achievement of objectives permitted under international law. There was a difference of opinion regarding the circumstances under which the use of force might be permitted, in the context of which repeated reference was made, *inter alia*, to the UN Charter as sole basis for the use of force. There was, however, agreement that the use of force in all circumstances must meet these requirements of necessity and proportionality. The implications of this principle on features such as the duration and geographical delimitation of hostilities and the choice of targets and means and methods of warfare, including their long-term effects, must have the close attention of political and military decision makers.

NEUTRALITY

72. In particular, the impact of armed conflict on relations between parties to the conflict and neutral parties should be made the object of further study as a matter of priority.

NAVAL WARFARE

73. The law of naval warfare as stated in the Conventions of 1907 being largely outdated, a full-scale revision of this body of law may be called for. The 1995 *San Remo Manual on International Law Applicable to Armed Conflicts at Sea* provides a starting point for such revision. A diplomatic conference on the subject should, however, only be convened after further thorough preparation and with the active support of major naval powers.

BELLIGERENT OCCUPATION

74. While in general the law of belligerent occupation, as elaborated in the 1899 (1907) Hague Regulation on Land Warfare, the 4th Geneva Convention of 1949 and Additional Protocol I of 1977, may be regarded as sufficiently elastic to allow for a degree of adaptation to changing circumstances in society, any such adaptation must

45. of Egypt, former Centennial rapporteur.

46. Moscow State Institute of International Relations of the Ministry of Foreign Affairs of the Russian Federation

respect the core principle that, even in the event of a prolonged occupation, the occupying power may not exploit the occupied territories for the benefit of its own population. By contrast, the provisions of the Hague Regulations on the taking of property in occupied territories are deemed so archaic as to warrant an enquiry into the possibility of modernization of those rules.

UNITED NATIONS MILITARY OPERATIONS

75. There was an extensive discussion of the law applicable to UN military operations and responsibility for acts of UN forces.[47] To achieve the highest possible level of conformity of United Nations military operations with applicable principles and rules of international humanitarian law, the legal instruments applicable to such operations need to be reconsidered. In particular, priority should be given to:

1. clarification of the circumstances in which a United Nations force is to be regarded as a party to an armed conflict and reconfirmation that such United Nations force, under such circumstances, is subject to the whole of international humanitarian law; and, as a minimum,
2. extending the greatest possible content to the obligation to observe the principles and spirit of humanitarian law in cases in which a United Nations force is not a party to an armed conflict, but nevertheless engaged in hostilities.

INTERNAL ARMED CONFLICTS: SCOPE

76. International humanitarian law applicable in internal armed conflicts binds both the government and other parties to such conflicts. While Additional Protocol II of 1977 has been given a higher threshold of application as compared to Article 3 common to the Geneva Conventions of 1949, this higher threshold does not really appear warranted. Accordingly, to enhance the protection afforded to those not taking part in hostilities in a situation of an internal armed conflict, the international community should undertake steps:

1. to set the threshold for the application of Protocol II at the same level as presently applied under the terms of common Article 3;
2. to ensure that the resulting lower threshold is faithfully applied in all cases (notwithstanding reluctance of governments in recognizing the existence of a situation of internal armed conflict);
3. to recognize the relationship between the law of internal armed conflict and the law of human rights, for example by identifying applicable common standards.

INTERNAL ARMED CONFLICTS: SUBSTANTIVE LAW

77. Many principles applicable in international armed conflicts - on the protection of the wounded and sick, the protection of the civilian population from the effects of hostilities and the law of weaponry - should be applicable in internal armed conflicts. One way to achieve this, is through the development of customary law. The enquiry, undertaken by the International Committee of the Red Cross, into the content of customary international humanitarian law especially as applicable in internal armed conflicts, may be expected to clarify the state of affairs in this regard.

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47. Note by the co-hosts: cf. Secretary-General's Bulletin: Observance by United Nations forces of international humanitarian law (ST/SGB/1999/13 of 6 August 1999).

It may also provide the basis for efforts towards a more systematic revision of the law.

## COMPLIANCE

78. The record of compliance with the law of armed conflict urgently needs to be improved. This would require:

1. measures to be taken in time of peace;
2. preventive measures to be taken in armed conflict;
3. measures at national and international level to repress violations of international humanitarian law.

79. Important practical steps which would contribute to enhancing compliance with international humanitarian law and which all states and other relevant entities should be encouraged to take included the following:

1. Measures of education and training designed to ensure that the principles of international humanitarian law are widely understood and to create a "culture of compliance" with international humanitarian law;
2. Practical preparation for armed conflict, such as the establishment of mechanisms for handling Prisoners of War and civilian detainees; and in time of armed conflict, constant awareness of the need to apply the rules of international humanitarian law to concrete cases;
3. The adoption of the legislative and administrative mechanisms necessary to enable states to comply with their obligations to prosecute and punish grave breaches of the Geneva Conventions and Protocols;
4. Enhancing the role of external monitoring during armed conflict, in particular:
   a. encouraging all states involved in armed conflict to nominate, and to accept the nomination of, protecting powers;[48]
   b. reaffirming and strengthening the right of initiative of the ICRC;
   c. encouraging all states to accept the competence of the International Fact-Finding Commission[49] and all parties to armed conflicts to make use of the Commission. The competence of the Commission to perform its functions in internal armed conflicts should formally be recognized;
   d. having recourse to the monitoring mechanisms of human rights conventions.
5. Considering, the possibility of establishing, in regions of conflict, areas for the protection of civilians and other qualified persons ("protected areas"), either as "humanitarian zones" in accordance with the relevant provisions of the 1949 Geneva Conventions and Additional Protocol I of 1977, or as militarily enforced "security zones"; in the latter case, on the basis of a clear understanding regarding (I) the demilitarization of such areas and (II) the level of protection to be accorded to them.
6. Encouraging all states to honour their obligations to prosecute and punish violations of international humanitarian law wherever and whomsoever they are committed.
7. Encouraging all states to ratify the Statute of the International Criminal Court and to participate fully in its work.

80. It was noted that the Rome Statute of the International Criminal Court also applies to crimes within the jurisdiction of the Court when committed in the context of an internal armed conflict.

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48. cf. Article 8 of the Geneva Conventions I, II and III, Article 9 of Geneva Convention IV, Article 5 of Additional Protocol I.

49. established pursuant to Article 90 of Additional Protocol I.

81. In addition, those participating in the discussions considered that thought should be given to developing

1. a system of reporting in which states give notice of the steps taken in peacetime to comply with their obligations under international humanitarian law;
2. an individual complaints mechanism.

## II.3 Peaceful settlement of disputes

82. The expert discussions on peaceful settlement of disputes had under consideration the revised report by professor Francisco ORREGO VICUÑA[50] and Dr. Christopher PINTO.[51] The discussions in The Hague were chaired by Dr. Keith HIGHET,[52] those in St. Petersburg by Dr. P. S. RAO, who, each, also introduced the conclusions at the final plenary session. The discussions in The Hague were opened with the introduction of the revised report and, in The Hague, with comments by Judge Gilbert GUILLAUME[53]; in St. Petersburg by K. G. GUEVORGUIAN.[54] Delegates identified the following elements and drew the following conclusions as to those elements from a legislative and normative perspective.

### PREVENTION AND RESOLUTION

83. Attention should be given to continuing to develop appropriate methods of resolving international disputes. To the greatest extent possible, disputes should be prevented from occurring or continuing, and to this end the institutionalization of new techniques of assisting this process would be useful. On the other hand, the flexibility of ad-hoc solutions should not be lost in the process of too much institutionalization of mechanisms for the peaceful settlement of disputes.

84. Care must be taken to develop existing institutions and not to create new institutions for their own sake. A balance should be struck between the optimal use of existing mechanisms and considering the establishment of new machinery. The fact that available mechanisms do not function properly might be caused by the lack of political will, rather than by inherent deficiencies of such mechanisms.

85. Peace and security are not necessarily achieved by techniques of "dispute resolution" as such. The role of the judiciary, after all, is limited to deciding on particular cases, rather than developing law or institutions.[55] On the other hand, the view was expressed that the role of the International Court of Justice was becoming increasingly normative.

86. The peaceful solution of disputes depended in final analysis on the strict compliance with the principles of non-use of force and sovereign equality of states.

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50. University of Santiago de Chile.
51. Secretary-General of the US-Iran Claims Tribunal.
52. of the USA, chairman of the IAJC expert conference, Rio de Janeiro, August 1998.
53. Judge at the International Court of Justice.
54. Deputy Legal Adviser at the Russian Ministry of Foreign Affairs.
55. See also below: Codification of international law.

87. It was emphasized that the proliferation of actors on the international scene should not detract from the primary function of international law, which is, and should remain, the regulation of inter-state relations.

NEGOTIATIONS AND CONSULTATIONS

88. Negotiation and consultation are considered to be, still, the most fruitful methods of dispute resolution. It must be remembered that specific legal and political methods of dispute resolution are both part of a larger picture.

89. The obligation to continue to seek peaceful solution to disputes remains, even after negotiations break down.

90. Third party intervention does not prevent negotiations continuing simultaneously.

PERMANENT COURT OF ARBITRATION

91. The Permanent Court of Arbitration's services for dispute resolution are available both under the traditional terms of the 1899 and 1907 Hague Conventions for the Pacific Settlement of International Disputes, and as part of a global "alternative dispute resolution" system.[56] Its new Rules[57] give the Court broad competence.[58]

92. The Security Council should also consider referral to the Permanent Court of Arbitration, when making recommendations under Article 36, para. 1, of the Charter, given the Court's broad competence.

INTERNATIONAL COURT OF JUSTICE

93. Universal acceptance of the compulsory jurisdiction of the International Court of Justice[59] was perceived as a long term goal. For this to be achieved:

1. existing problems of requesting interim measures of protection should be solved;
2. due regard should be had to potential abuse of the system;
3. solutions should be found for the high costs of, and length of time involved with litigation.

94. Caution was expressed with regard to possible unexpected results from the formation of Chambers,[60] for example the possible imbalance in the assignment of judges.

95. Diverse and strongly felt views were expressed with regard to possible enlargement of the bench of the Court.

96. The Court's Trust Fund deserves further support.

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56. "Alternative dispute resolution" is proposed by the rapporteurs as supplementary to the public court system for the administration of international justice.

57. Available at http://www.law.cornell.edu/icj/pca/eng/home.html; see also operational para. 4 of A/RES/53/100.

58. Already, the Permanent Court of Arbitration acts to "rescue" stalled alternative dispute resolution under the UNCITRAL Rules.

59. cf. Article 36, 2 of the ICJ Statute.

60. Allowing for a greater work load of the Court.

97. Broad support was expressed for increasing the resources of the Court,[61] for example by providing well-trained professional assistance to the International Court of Justice, although care should be taken in the selection process of such personnel.

98. With regard to the suggested broader access to the Court, it was pointed out that there is precedent for Non-Independent States as parties to the Statute.

99. An emerging trend was recognized for accepting the need for international organizations to have access to the Court.

100. The need was felt for careful consideration of various aspects of the expansion of the advisory function of the Court and its complex consequences, e.g.:

1. channel for a possible *actio popularis*;[62]
2. possible introduction of an "Advocate-General" at the Court, especially in connection with a possible *actio popularis*;
3. possible filtering of requests for advisory opinion, e.g. by an "Independent Committee of Jurists";
4. referrals to the Court by other tribunals or by regional organizations.[63]

101. Attention should be given to the issues arising from the bilateral nature of litigation in cases involving *erga omnes* obligations.[64]

102. The possibility of division of cases into small and large, or important and less important matters, drew spirited debate.

## ROLE OF SECURITY COUNCIL AND SECRETARY-GENERAL

103. The role of the Security Council and/or the Secretary-General[65] in reducing tension and dispute prevention should be further developed.

104. The role of the Security Council in the maintenance of international peace and security in the context of the United Nations dispute settlement function should be enhanced, particularly by developing fact-finding and other activities.

105. Members of the Security Council should discharge their responsibilities for the Council's primary responsibility for international peace and security by seeking agreement and taking the appropriate decisions within the Council. Some referred, in this connection, to the Council's practice in the early 90's.

106. For the Security Council to be able credibly to perform such functions as representative of the international community, enlargement of the membership of the Council was advocated by some.

107. The effectiveness of the various settlement methods employed in early phases of a dispute might be enhanced by ensuring an automatic or expedient transition from Chapter VI to Chapter VII of the Charter. Activities under these Chapters should be better correlated with UN bodies focussing on the prevention of disputes.

108. In this connection attention was drawn to the sometimes disastrous effects of economic sanctions on the civilian population. Others advocated entrusting peace

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61. Note by the co-hosts: see in this respect: Annexes to "Report of the International Court of Justice: 1 August 1997 - 31 July 1998" (A/53/4).

62. Caution was expressed about possible politicization.

63. As suggested by the rapporteurs; not specifically discussed.

64. cf. *Barcelona Traction, Light and Power Company, Ltd* case, ICJ Reports 1970, p. 3: para's 33 and 34.

65. See also below, Permanent Conciliation Committee.

keeping solely to United Nations contingents, to be put at the Organization's disposal in advance.

109. On the other hand, the opinion was also voiced that compliance might best be induced by also including incentives, notably at the economic level.

REGIONAL COURTS

110. More frequent recourse to regional courts would facilitate the coherence and uniformity of regional community law, which often shows a greater measure of compliance than general dispute settlement systems.

111. As to suggestions for regional courts to apply general international law, regional instruments, such as the Pact of Bogotá and the Latin American Collective Security Arrangements, should be carefully regarded. In this respect the idea was advanced, that regional courts should be somewhat specialized in their activities, so as not to compete with the International Court of Justice in the application of general international law.[66]

INTERNATIONAL COURT OF APPEALS

112. There was little support for the suggestion in the report that the International Court of Justice could also act as an International Court of Appeals. As for arbitral awards, it was felt that these benefited from finality.[67] Moreover, an appeals system could not be imposed from the outside, since it is for the parties to the dispute to accept or not an appeal in such a case.[68]

INTERNATIONAL CONSTITUTIONAL COURT

113. The report requests the interesting possibility of an international constitutional court to be studied. Partly, the International Court of Justice is already fulfilling a constitutional role within the UN-system,[69] protecting that system from disintegration. In many domestic legal systems a Constitutional Court as well as a Supreme Court exist side by side.[70] The view was expressed, however, that in order to have a Constitutional Court, a Constitution would be a prerequisite.

SPECIALIZED METHODS AND PROCEDURES

114. A multiple combination of political and legal methods might be made available to settle disputes in areas involving special interests. As to the legal methods a variety of choices might be included and the introduction of the "inverted consensus" rule for the adoption of panel reports might be considered.

115. A system of optional rules might be developed to open GATT/WTO procedures to individuals and corporations.

116. The availability to private parties of mechanisms for international control of domestic legislation, such as are currently in place under NAFTA and other arrangements, might be considered for wider use.

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66. See above: International Court of Justice's advisory functions; and below: International Court of Appeals.

67. See also above: Regional Courts.

68. e.g. in private commercial arbitration.

69. e.g. by allowing UN organs and specialized agencies to ask advisory opinions on legal questions, cf. Article 65 ff of the ICJ Statute.

70. See above: International Court of Appeals.

117. Access by affected interested private entities to international dispute settlement arrangements of a specialized nature[71] might be encouraged and might be followed in other types of arrangements involving individual rights and interests.

PERMANENT CONCILIATION COMMITTEE

118. Questions were raised about the need for or the advisability of a Permanent Conciliation Committee, as well as regarding:

1. the function and role of mediation/conciliation;
2. whether a Permanent Conciliation Committee would enjoy the confidence of parties, essential to the conciliation process and
3. whether such functions might be better co-ordinated with the Permanent Court of Arbitration[72] or entrusted to the Secretary-General of the United Nations; and
4. the appointment and rotation of the members of such Committee.

CODIFICATION OF INTERNATIONAL LAW

119. The development in publication by the UN of authoritative volumes and compendia on the law, e.g. regarding human rights, disarmament, etc.,[73] was noted with satisfaction. The same was true for studies on the work of the International Law Commission.

120. It was felt that codification alone is not enough; law creation is also needed.

WORLD SCHOOL OF INTERNATIONAL LAW

121. As to the proposal, expressed in the report, for the creation of a "world school of international law" it was suggested to study such proposals in conjunction with the Hague Academy of International Law.

122. The following points of the report, although tabled, were not specifically discussed during the expert meetings.

MEDIATION AND THE ROLE OF TECHNICAL BODIES

123. Mediation might be used with great flexibility, while a special role of a mediator might be considered in particular sensitive disputes.

124. In the context of specialized areas of cooperation, procedures might be developed for referring such disputes to technical bodies where appropriate.

125. Treaties as to these and other methods for dispute settlement that have fallen into disuse might be updated.

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71. Such as ICSID, the UNCC, the World Bank Inspection Panel and the International Administrative Tribunals.

72. See above, Prevention and Resolution, on institutionalization, and Permanent Court of Arbitration, on the Court's broad competence under its Rules.
Note by the co-hosts: see also the coordinating role of the UN Legal Counsel in the "Lockerbie-affair": cf. letter dated 5 April 1999 from the Secretary-General addressed to the President of the Security Council (S/1999/378).

73. Note by the co-hosts: see also the new electronic database for the United Nations Treaty Collection, access to information concerning United Nations activities in the field of international law, and the Internet access to the United Nations Treaty Series and the Multilateral Treaties Deposited with the Secretary-General, all referred to in A/RES/54/100.

# Appendix Reports, comments and speeches

The following reports and comments have been contributed[74] to the Centennial discussions by experts and posted on the internet by the Executive Secretariat.[75]

| *document title* | *file name* |
|---|---|
| PRELIMINARY REPORT<br>The Peaceful Settlement of Disputes: Prospects for the Twenty-first Century<br>by: Francisco ORREGO VICUÑA and Christopher PINTO | settle1.pdf |
| PRELIMINARY REPORT<br>Development of International Law Relating to Disarmament and Arms Control since the First Hague Peace Conference in 1899<br>by: Hans BLIX | arms1.pdf |
| PRELIMINARY REPORT<br>International Humanitarian Law and the Laws of War<br>by: Christopher GREENWOOD | human1.pdf |
| Commentaires sur le rapport préliminaire de MM. F. Orrego Vicuña et C. Pinto<br>by: Gilbert GUILLAUME | guilaum.pdf |
| Initial comments of the International Bureau of the Permanent Court of Arbitration on the report by F. Orrego Vicuña and C. Pinto<br>by: the International Bureau | PCAcom.pdf |
| Observations on the document by F. Orrego Vicuña et C. Pinto<br>by: Dr. Eduardo VIO GROSSI | IAJCSet1.pdf |
| Comments on the preliminary report by F. Orrego Vicuña et C. Pinto<br>by: Dr. Keith HIGHET | IAJCHigh.pdf |
| The Fridtjof Nansen Memorial Lecture<br>by: Knut VOLLEBÆK | small1.pdf |
| Peaceful Settlement of Disputes - an Overview<br>by: Dr. Galo LEORO F. | SetAJC.pdf |
| Comments on sections III + V of the preliminary report by F. Orrego Vicuña and C. Pinto<br>by: Prof. Barbara KWIATKOWSKA | Kwiatkow.pdf |
| Two Other Ideas<br>by: Roy S. LEE | Lee.pdf |
| General Comments on "Peaceful Settlement of Disputes"<br>by: Shabati ROSENNE | Rosenne1.pdf |
| Comments on the International Court of Justice<br>by: Shabati ROSENNE | Rosenne2.pdf |
| Comments on the preliminary report by F. Orrego Vicuña and C. Pinto<br>by: the Netherlands Advisory Committee on International Issues | cavveng1.pdf |

74. In the Peace Palace languages: English or French.

75. http://www.minbuza.nl/english/conferences/c_peace_docs.html
All documents were posted as Adobe® Acrobat® files (*.pdf) in order to allow cross-platform accessibility and guarantee integrity of the documents. For reading and printing Acrobat® Reader® software was offered as free download.

| *document title* | *file name* |
|---|---|
| Comments on "International Humanitarian Law and the Laws of War" by Christopher Greenwood<br>by: the Netherlands Advisory Committee on International Issues | cavveng2.pdf |
| Comments on "Development of International Law Relating to Disarmament and Arms Control since the First Hague Peace Conference in 1899" by Hans Blix<br>by: the Netherlands Advisory Committee on International Issues | cavveng3.pdf |
| Informal Comments on the draft report by Hans Blix<br>by: ICRC | ICRCarms.pdf |
| "The Feasibility of Implementing The Hague/St. Petersburg Centennial Recommendations under the UN System"<br>by: Hans CORELL, as distributed in New Delhi, 11-12 February 1999 | Corell.pdf |
| Statement by the President of the 37th Session of the Asian-African Legal Consultative Committee<br>by: P. S. RAO | Rao.pdf |
| Report by the Rapporteur of the Second Session on "International Humanitarian Law and the Laws of War", New Delhi, 11 February 1999 | delhihum.pdf |
| Draft Report of the Rapporteur of the First Session on "Peaceful Settlement of Disputes", New Delhi, 11 February 1999<br>by: S. M. CONFIADO | delhistl.pdf |
| Speech by the Chinese Representative at the Expert Meeting of AALCC on the Preliminary Reports on the Commemoration of the Centennial of the 1st Hague Peace Conference | delhichn.pdf |
| International Law and the Clarification of the Right of Self Defence<br>by: Zahra NOPARAST | delhiirn.pdf |
| The International Law of Disarmament: a Centennial Overview<br>by: V. S. MANI | delhmani.pdf |
| Comments on the Preliminary Reports of Special Rapporteur Prof. Christopher Greenwood on International Humanitarian Law and the Laws of War<br>by: B. S. CHIMNI | delhchim.pdf |
| Point of Correction to the report by Hans Blix<br>by: G. BOZKURT | Ottoman.pdf |
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| *document title* | *file name* |
|---|---|
| Excerpts from "Peaceful Resolution of Major International Disputes", Summaries and Recommendations<br>edited by: Julie DAHLITZ | London.pdf |
| Improving the System of Settlement of Disputes<br>by: Roy S. LEE | Roy.pdf |
| Report on the Asia-Pacific Conference to Commemorate the Centenary of the First Hague International Peace Conference of 1899<br>by: Tim MCCORMACK | melb.pdf |
| UK Government Comments on the Preliminary Report by Mr. Hans Blix concerning Disarmament and Arms Control<br>by: The Foreign and Commonwealth Office | FCOarms.pdf |
| UK Government Comments on the Preliminary Report by Professor Christopher Greenwood for The Hague Centennial Commemoration<br>by: The Foreign and Commonwealth Office | FCOhum.pdf |
| UK Government Comments on the Preliminary Report by Professor Orrego Vivuña and Mr. Pinto on "The Peaceful Settlement of Disputes: Prospects for the Twenty-First Century"<br>by: The Foreign and Commonwealth Office | FCOsettl.pdf |
| Seminar Commemorating the First International Peace Conference of 1899<br>by: The South African Department of Foreign Affairs | SADC.pdf |
| Comments regarding the preliminary report by Hans Blix, "Development of International Law Relating to Disarmament and Arms Control since the First Hague Peace Conference in 1899"<br>by: CHOI Seung-hoh, Director-General of the Treaties Bureau, Republic of Korea | ROKBlix.pdf |
| Comments regarding the preliminary report by Christopher Greenwood, "International Humanitarian Law and the Laws of War"<br>by: CHOI Seung-hoh, Director-General of the Treaties Bureau, Republic of Korea | ROKGreen.pdf |
| The Peaceful Settlement of Disputes: the Role of International Law and the International Court of Justice<br>by: Cheryl A. THOMPSON-BARROW | jamaica.pdf |
| REVISED REPORT<br>The Peaceful Settlement of Disputes: Prospects for the Twenty-first<br>by: Francisco ORREGO VICUÑA and Christopher PINTO | settle3.pdf |
| REVISED REPORT<br>International Humanitarian Law and the Laws of War<br>by: Christopher GREENWOOD | human3.pdf |
| REVISED REPORT<br>Development of International Law Relating to Disarmament and Arms Control since the First Hague Peace Conference in 1899, especially the rules and practices regarding verification and compliance<br>by: Hans BLIX | arms3.pdf |
| Draft conclusions of the Centennial discussions at the Peace Palace, The Hague, 18-19 May, 1999 | 99concl3.pdf |
| Some Observations on the Revised Blix Reoprt on Disarmament<br>by: John BURROUGHS, Lawyers' Committee on Nuclear Policy | lcnp.pdf |

| *document title* | *file name* |
|---|---|
| CONCLUSIONS<br>Outcome of the celebrations of the Centennial of the First International Peace Conference<br>Report submitted by the Governments of the Kingdom of the Netherlands and the Russian Federation | 1999ccl8.pdf |

The following (key-note) speeches were delivered[76] at the Peace Palace sessions of the celebration of the Centennial of the First International Peace Conference (18 and 19 May 1999) and posted on the internet by the Executive Secretariat.[77]

| *document title* | *file name* |
|---|---|
| On the Cutting Edge<br>by: Jozias VAN AARTSEN, Minister for Foreign Affairs of the Kingdom of the Netherlands | speech1.pdf |
| The International Rule of Law Established at the 1899 Peace Conference<br>by: Hans VAN MIERLO, Chairman of the Centennial celebrations at the Peace Palace | speech2.pdf |
| The Effectiveness of the International Rule of Law in Maintaining International Peace and Security<br>by: Kofi ANNAN, Secretary-General of the United Nations | speech3.pdf<br>UN Press Release SG/SM/6997 |
| International Humanitarian Law: from the Hopes of 1899 to the Challenges of 1999<br>by: Cornelio SOMMARUGA, President of the International Committee of the Red Cross | speech4.pdf |
| The Disarmament Legacy of the First International Peace Conference<br>by: José BUSTANI, Director-General of the Organization for the Prohibition of Chemical Weapons | speech6.pdf<br>http://www.opcw.org/dg-hap.htm |
| The United Nations as Successor to the International Rule of Law Established at the 1899 First International Peace Conference<br>by: Hans CORELL, Under Secretary-General and Legal Counsel of the United Nations | speech5.pdf |
| The Humanitarian Legacy of the First International Peace Conference<br>by: Astrid HEIBERG, President of the International Federation of Red Cross and Red Crescent Societies | speech11.pdf |
| Possible Ways Ahead with regards to Peaceful Settlement of Disputes<br>by: Hans JONKMAN, Secretary-General of the Permanent Court of Arbitration | speech12.pdf |
| Report of the Commemorative Conference of the Members of the Permanent Court of Arbitration<br>by: Sir Ninian STEPHEN, Chairman of the Commemorative Session | speech9.pdf |

76. In the Peace Palace languages: English or French.

77. http://www.minbuza.nl/english/conferences/peacespeeches/c-speeches.html
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|---|---|
| Report on the Conclusions of the Hague Appeal for Peace citizens' conference<br>by: Bill PACE, Secretary-General of the Hague Appeal for Peace | speech10.pdf |
| The Beginning, Not the End: an Appraisal of the 1899 hague Peace Conference<br>by: Arthur EYFFINGER, Peace Palace Historian | speech13.pdf |
| The Hague Peace Conference of 1899: an Historical Introduction<br>by: Robin SHARWOOD, University of Melbourne | speech8.pdf |
| Le Règlement pacifique des différends: perspectives pour le 21e siècle<br>by: Gilbert GUILLAUME, introductory speaker | guilopp.pdf |
| Comments on the Report by Hans Blix entitled "Development of International Law Relating to Disarmament and Arms Control"<br>by: Julie DAHLITZ, introductory speaker | dltzopp.pdf |
| Closing Remarks of the Discussions on the Legislative and Normative Aspects of the Themes of the First International Peace Conference<br>by: Hans VAN MIERLO, Chairman of the Centennial celebrations at the Peace Palace | speech7.pdf |

The following (key-note) speeches were delivered[78] at the Smolny Palace sessions of the celebration of the Centennial of the First International Peace Conference (22-25 June 1999) and posted on the internet by the Executive Secretariat.

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